

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
JANUARY 15, 2016**

(Published January 23, 2016, in *Finance and Commerce*)

**CALL TO ORDER**

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent – Council Member John Quincy.

On motion by Frey, the agenda was amended to include under the Order of New Business a notice of intent to introduce an ordinance restructuring the annual pollution control billing fees.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the adjourned session held December 9, 2015, and the regular meeting of December 11, 2015, were adopted.

On motion by Glidden, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on January 15, 2016. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

**REPORTS OF STANDING COMMITTEES**

**The COMMITTEE OF THE WHOLE submitted the following report:**

The Minneapolis City Council hereby approves the appointment of Chief Administrative Law Judge Tammy Pust as presiding officer for the required public hearing regarding designation of a community action agency for the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

January 15, 2016

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**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:**

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-001 approving the sale of the property at 609 Fillmore St NE (Disposition Parcel No. TF-826) to Quynh Nguyen for \$33,900, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-001**

**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-826 at 609 Fillmore St NE.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-826, in the Beltrami neighborhood, from Quynh Nguyen, hereinafter known as the Redeveloper, the Parcel TF-826, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-826; 609 Fillmore St NE: Lot 26, Block 9, Ramsey Lockwood and others addition to St. Anthony, Except any part or portion of said lot which lies within alley; and

Whereas, the Redeveloper has offered to pay the sum of \$33,900, for Parcel TF-826 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 24th, 2015, a public hearing on the proposed sale was duly held on January 5th, 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby determined to be the sum of \$33,900 for Parcel TF-826.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further

determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur no later than April 15, 2016 and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-002 approving the sale of the property at 2422 16th Ave S, (Disposition Parcel No. MC 131-21) to PRG, Inc for \$10,100, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-002**

**By Goodman**

**Authorizing sale of land Model Cities Disposition Parcel No MC 131-21 at 2422 16th Ave S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MC 131-21, in the East Phillips neighborhood, from PRG Inc., hereinafter known as the Redeveloper, the Parcel MC 131-21, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MC 131-21; 2422 16th Ave S: Lot 10, Block 4, Gilpatrick's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$10,100, for Parcel MC 131-21 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 24th, 2015, a public hearing on the proposed sale was duly held on January 5th, 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Model Cities plan, as amended, is hereby determined to be the sum of \$10,100 for Parcel MC 131-21.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur no later than April 15, 2016 and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance

shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-003 authorizing the Sideyard Program for sales of certain sideyard properties without identified buyers.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-003**  
**By Goodman**

**Authorizing the Sideyard Program for sales of certain sideyard parcels.**

Whereas, the City of Minneapolis, hereinafter known as the City, has 52 parcels in its real estate development inventory shown in File #16-00027, as follows: 3504 Longfellow Ave; 3230 Bloomington Ave; 3245 18th Ave S; 1534 33rd St E; 3414 1/2 Oakland Ave; 3437 15th Ave S; 1912 36th Ave N; 4400 35th Ave S; 2315 Lowry Ave N; 2617 Lowry Ave N; 2923 Vincent Ave N; 3246 Emerson Ave N; 3203 Logan Ave N; 3311 Irving Ave N; 2606 Oliver Ave N; 1708 26th Ave N; 3916 Blaisdell Ave; 2524 California St; 3308 6th St N; 316 30th Ave N; 914 19th Ave NE; 946 26th Ave NE; 946 1/2 26th Ave NE; 1213 Spring St NE; 418 23rd Ave N; 2308 Lyndale Ave N; 2310 Lyndale Ave N; 618 23rd Ave N; 2415 Bryant Ave N; 1015 25th Ave N; 1120 25th Ave N (Division); 2510 Penn Ave N; 1509 Hillside Ave; 2324 McNair Ave; 537 Queen Ave N; 425 Penn Ave N; 1213 Newton Ave N; 807 Irving Ave N; 246 Irving Ave N; 1601 Glenwood Ave; 718 1st St N; 2227 16th Ave S; 2507 1/2 12th Ave S; 2431 16th Ave S; 2447 16th Ave S; 1611 25th St E; 2612 18th Ave S; 2640 17th Ave S; 2719 18th Ave S; 2820 18th Ave S; 2728 26th St E; and 2704 29th Ave S; and

Whereas, these parcels are not needed for development purposes and prior efforts to sell the properties been unsuccessful; and

Whereas, keeping these parcels in public ownership is contrary to the best use of these lands and increases the City's holding costs; and

Whereas, it is in the best interests of the City, the neighborhoods and the adjacent property owners that these lands be converted to their best use through private ownership; and

Whereas, the City wishes to sell these parcels using the fastest and most cost-effective methods possible; and

Whereas, the City has had the property values reviewed by an appraisal expert, and purchase prices have been established as described herein consistent with the City's accepted methods in determining re-use values; and

Whereas, the City Council on October 6, 2006, approved the Sideyard Pilot Program for an 18 month period; and

Whereas, on March 11, 2005, the City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including dispositions of non-buildable parcels) that have no relationship to the City's Comprehensive Plan; and

Whereas, Section 2.2.13 of the City's Real Estate Disposition Policy set procedures for selling sideyard parcels; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Thursday December 24, 2015, a public hearing on said proposed sales and the provisions thereof, was duly held on Tuesday, January 5, 2016, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Sideyard Program be established and that any unsold Sideyard Pilot Program parcels be rolled into the Sideyard Program as included in the 52 parcels shown in Attachment 2 set forth in File No. 16-00027, and that the provisions of Section 2.2.13 of City's Real Estate Disposition Policy shall be modified or reconfirmed and supplemented for the parcels placed in the Pilot Program as follows:

1. The public hearing will address selling all of the listed properties, rather than holding individual hearings.
2. Sale will be only to an adjacent property owner. When a buyer is identified, staff will proceed with the land sale closing, without having to return to Council for approval of the specific purchaser(s).
3. The adjacent property owner must be current on all property taxes.
4. No sideyard sales to adjacent owners who are not maintaining their property in compliance with the Building Code or Zoning Ordinance will occur.
5. The City will pay for certain transaction costs to encourage private ownership of the parcels.
6. Sideyards will be sold at the current fair re-use value.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver Quit Claim Deed(s) to the Purchaser(s) without further Council action.

Be It Further Resolved that for the purposes of this Sideyard Program, "sideyard" means one or more of the following categories:

1. The parcel by itself or when combined with adjacent City-owned property does not meet the minimum area requirements for a single family house, even if variances were to be granted.
2. A parcel meets the minimum requirements for new construction but the land has unique characteristics (such as unsuitable soils or poor topography) that fit within the exceptions of the Real Estate Disposition Policy Section 2.2.13, part C. Under these exceptions, buildable lots can be sold as sideyards due to specific extenuating circumstances that cause new construction to be impractical, cost-prohibitive or detrimental to the immediate neighborhood.
3. Any other parcel that the City Council approves for a sideyard sale to an adjacent owner under this Program.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Community Development & Regulatory Services Committee sent forward without recommendation the proposed sale of land located at 30 Third St S (Nicollet Hotel Block) to United Properties Development, LLC or an affiliate, as follows:

The Minneapolis City Council hereby:

1. Passage of Resolution 2016R-004 authorizing sale of land and redevelopment contract terms with United Properties Development, LLC or an affiliate (the Developer) for \$10,400,000, for construction of a mixed-use tower at 30 Third St S (Disposition Parcel NIC MALL 1).
2. Authorizes a redevelopment agreement contract with Developer based on the terms described in the staff report contained in File No. 16-00028.

Goodman moved approval, including the following language:

"Amend the Term Sheet stipulating the Developer agrees to have its project architect work with a team of City staff from Council Member Frey's Office, Council Member Goodman's Office, Mayor Hodges' Office, CPED and Public Works to evolve the Project's design to achieve the City's goals of an iconic building and reach consensus on preliminary design (the "Consensus Preliminary Design") by April 26, 2016; thereafter, the plans submitted by the Developer for City approvals shall, subject to the other provisions of the Term Sheet, be substantially consistent with the Consensus Preliminary Design. If the Consensus Preliminary Design is not obtained by April 26, 2016, the Developer or the City may terminate the Agreement and 100% of the good faith deposit shall be returned to the Developer."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report, as amended, and resolution were adopted.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-004**  
**By Goodman**

**Authorizing sale of land Disposition Parcel NIC MALL 1 at 30 Third St S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel NIC MALL 1, in the Downtown West neighborhood, from United Properties Development, LLC or an affiliate, hereinafter known as the Redeveloper, the Parcel NIC MALL 1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of NIC MALL 1; 30 Third St S: Par 1: Lots 163, 165 and 166, Auditor's Subdivision Number 137;

Par 2: A tract of land consisting of Lots 160, and 161 Auditor's Subdivision Number 137, the Northeasterly line of which tract is parallel with and 96 feet Northeasterly from the Northerly line of Third Street South in the City of Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State, and as determined in Torrens Case No. 5113, Files of the Office of the Clerk of District Court, Fourth Judicial District, State of Minnesota, and marked by judicial landmarks placed at the Northeasterly and Northwesterly corners of said Lot 160 of said Subdivision, and the Southwesterly line of which tract is parallel with and 49 feet Northeasterly from the Northerly line of said Third Street South, in said City and State;

Par 3: A tract of land consisting of Lot 157, 158 and 159, Auditor's Subdivision Number One Hundred Thirty (137), the Northeasterly line of which tract is parallel with and 165.34 feet Southwesterly from the Southerly line of Washington Avenue South, Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State and the Southwesterly line of which tract is parallel with and 96 feet Northeasterly from the Northerly line of Third Street South in said City and State, as measured along the Westerly line of said Nicollet Avenue, the four corners of which tract of land have been marked by judicial landmarks, pursuant to the interlocutory decree determining boundaries, entered by the Court herein on October 18, 1941 and as shown by a certificate of Messrs. Egan, Field and Nowak, engineers and surveyors, on file herein, dated November 12, 1941;

Par 4: Lot 162, the Northeasterly line of which lot is parallel with and 49 feet Northeasterly from the Southwesterly line of said Lot; Lots 164 and 167, Auditor's Subdivision Number 137;

Par 5: Those parts of Lot 1, 2 and 3, Block 53, Town Of Minneapolis, described as beginning at the most Westerly corner of Lot 156, Auditor's Subdivision Number 137; thence Southeasterly to the most Northerly corner of Lot 157 of said Auditor's Plat, which corner has been judicially determined and marked by a Judicial Landmark set pursuant to Torrens Case No. 5113; thence Southwesterly to the most Westerly corner of Lot 159 of said Auditor's Plat, which corner has been judicially determined and marked by Judicial Landmarks set pursuant to said Torrens Case No. 5113; thence Southwesterly to the most Westerly corner of Lot 162 of said Auditor's Plat; thence Northwesterly to the most Southerly corner of Lot 163 of said Auditor's Plat; thence Northeasterly to the most Easterly corner of Lot 167 of said Auditor's Plat; thence Northwesterly to the most Northerly corner of said Lot 167; thence Northeasterly to the point of beginning;



Par 6: A tract of land consisting of Lot 156, Auditor's Subdivision Number 137, the Southwesterly line of which tract is parallel with and 165.34 feet Southwesterly from the Southerly line of Washington Avenue South in the City of Minneapolis, Minnesota, as measured along the Westerly line of Nicollet Avenue in said City and State, said Southwesterly line being as determined in Torrens Case No. 5113, Files in the Office of the Clerk of District Court, fourth Judicial District, State of Minnesota, and marked in part by judicial landmarks placed in said line at the Northeasterly and Northwesterly corners of the adjoining Lot 157 of said Subdivision; and

Whereas, the Redeveloper has offered to pay the sum of \$10,400,000, for Parcel NIC MALL 1 to the City for the land and develop A mixed-use tower of at least 30 stories; the tower will include a mix of residential, hotel and commercial space; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 24, 2015, a public hearing on the proposed sale was duly held on January, 5th 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value is hereby estimated to be at or above the sum of \$10,400,000 for Parcel NIC MALL 1.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel as proposed.

Be It Further Resolved that the City finds that pursuant to Minnesota Statutes §469.105, the sale and conveyance of this Parcel as described herein is in the best interest of the City and furthers the City's general plan of economic development.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a redevelopment contract consistent with the requirements of Minnesota Statutes §469.105. Furthermore, that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Approves the recommendation of the Administrative Hearing Officer who issued Findings of Fact, Conclusions and a Recommendation that the Rental Dwelling Licenses for the following 42 rental properties held by Mahmood Khan be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, and that said Findings on file in the office of the City Clerk be adopted and made a part of this action by reference:

1800 La Salle Ave, Unit #104, 1827 Oliver Ave N, 2007 Russell Ave N, 2008 21st Ave N, 2116 25th Ave N, 2123 Oliver Ave N, 2126 Queen Ave N, 2135 4th Street N, 2223 Emerson Ave N, 2319 3rd Street N, 2325 James Ave N, 2401 Ilion Ave N, 2414 Bryant Ave N, 2600 Oliver Ave N, 2631 Newton Ave N, 2714 35th Ave N, 2714 Emerson Ave N, 2722 Oliver Ave N, 2813 Aldrich Ave N, 2906 Emerson Ave N, 3406 Penn Ave N, 3414 Emerson Ave N, 3557 Dupont Ave N, 4000 Dupont Ave N, 4010 Dupont Ave N, 4011 Dupont Ave N, 1604 27th Ave N, 410 30th Ave N, 310 Pierce Street NE, 315 Buchanan Street NE, 818 44th Ave N, 313 26th Ave N, 321 24th Ave N, 1614 22nd Ave N, 1621 22nd Ave N, 1607 Hillside Ave N, 1714 Oliver Ave N, 1611 Sheridan Ave N, 819 Sheridan Ave N, 1001 Logan Ave N, 1204 Knox Ave N, and 1237 Knox Ave N

Goodman moved approval, including the following language:

"Authorizes a stay of the rental license revocation pending the resolution of any diligently pursued appeals."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report, as amended, was adopted.

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in File No. 16-00031, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

Approved by Mayor Betsy Hodges 1/15/2016.

(Published 1/20/2016)

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Dollar Express Stores LLC allowing the licensee to retain the Food Grocery and Tobacco Licenses for Dollar Express, 1433 Franklin Ave E, subject to adherence with the conditions contained therein, as set forth in File No. 16-00033, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and MN Pain Care Center LLC allowing the licensee to retain the Massage & Bodywork Establishment License for Oriental Acupressure, 3001 Hennepin Ave, Suite 2410, subject to adherence with the conditions contained therein, as set forth in File No. 16-00034, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Wellness Body Work LLC allowing the licensee to retain the Massage & Bodywork Establishment License for Wellness Body Work, 401 Lake St W, subject to

adherence with the conditions contained therein, as set forth in File No. 16-00036, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Passage of Resolution 2016R-005 providing requisite approvals for certain redevelopment activities by the Hennepin County Housing and Redevelopment Authority in connection with the property at 4414 Humboldt Ave N.

2. Authorizes the revised cooperative agreement between the City and the Hennepin County Housing and Redevelopment Authority to facilitate the sale of the County-owned property at 4414 Humboldt Ave N to Pillsbury United Communities for the purpose of redeveloping the existing, vacant building and opening a new grocery store in the Webber-Camden community, as set forth in File No. 15-01407.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-005**

**By Goodman**

**Providing requisite approvals for certain redevelopment activities by the Hennepin County Housing and Redevelopment Authority in connection with the property at 4414 Humboldt Ave N.**

Whereas, following a request for proposals process, Hennepin County and the Hennepin County Housing and Redevelopment Authority (the "County HRA") have decided to sell surplus property at 4414 Humboldt Avenue North in the City of Minneapolis (the "City") to Pillsbury United Communities (the "Redeveloper") for the purpose of redeveloping the existing, vacant building and opening a new grocery store (the "Redevelopment Activities"); and

Whereas, the County HRA has requested that the City Council of the City adopt a resolution under Minnesota Statutes, section 469.005, declaring a need for the County HRA to exercise its powers in the City, and approve the Redevelopment Activities as required by Minnesota Statutes, section 383B.77; and

Whereas, the City has negotiated a cooperative agreement with the County HRA to ensure that the Redevelopment Activities are consistent with community priorities and the plans (the "Cooperative Agreement");

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council grants general approval in accordance with Minnesota Statutes, sections 469.005 and 383B.77.20, of the proposed Redevelopment Activities further described in County HRA Resolution 15-HCHRA-0021.

Be It Further Resolved that the approval in this resolution is contingent upon execution and delivery by the County HRA of the Cooperative Agreement.

Be It Further Resolved that the approval in this resolution does not confer financial and other benefits or waive zoning, land use, building code and other applicable requirements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and resolution were adopted.

The Minneapolis City Council hereby authorizes a Memorandum of Understanding with the Minneapolis Park and Recreation Board, as set forth in File No. 16-00037, that will guide a cooperative process to pursue Phase I redevelopment of the Upper Harbor Terminal.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:**

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Resolution 2016R-006 approving the 2nd Ave N and Van White Memorial Blvd Redevelopment Plan.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-006  
By Goodman and Quincy**

**Approving the 2nd Avenue North and Van White Memorial Boulevard Redevelopment Plan.**

Resolved by The City Council of The City of Minneapolis:

**Section 1. Recitals**

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and

469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”).

1.2. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the 2nd Avenue North and Van White Memorial Boulevard Redevelopment Plan (the “Plan”). The Plan identifies the boundary of a new redevelopment project area (the “Project Area”), states the City’s objectives, indicates a description of proposed land uses and describes proposed development activity, including property acquisition, within the Project Area, all pursuant to and in accordance with the Project Laws.

1.3. The City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the City Planning Commission, and the holding of a public hearing after published notice as required by law.

## Section 2. Findings

2.1. The Council hereby finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

2.3. The Council further finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area by private enterprise.

2.4. The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Plan were issued on January 11, 2016, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.5. The Council further finds, determines and declares that the 2nd Avenue North and Van White Memorial Boulevard Redevelopment Project is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that the Project Area is a “blighted area” pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

2.6. The Council further finds, determines and declares that the reasons and facts supporting the findings in this Resolution are described in the Plan.

2.7. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

## Section 3. Approval of the Plan

3.1. Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

4.1. After passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Resolution 2016R-007 approving Modification No. 125 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan and Modification No. 1 to the Lake and Nicollet Redevelopment Plan, and appropriate Common Project tax increment revenue to repay the temporary funding.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-007**  
**By Goodman and Quincy**

**Approving Modification No 125 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan and Modification No 1 to the Lake and Nicollet Redevelopment Plan.**

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the "Common Plans") and established the Common Development and Redevelopment Project (the "Common Project"). Subsequent modifications to the Common Plans have described more precisely the Common Project, the activities to be undertaken and the property that may be acquired, all pursuant to the Project Laws.

1.3. By Resolution 2014R-158 duly adopted April 25, 2014 and approved April 30, 2014, the City approved the Lake and Nicollet Redevelopment Plan and thereby established the Lake and Nicollet Redevelopment Project (the “Project Area”).

1.4. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, Modification No 125 to the Common Plans (“Modification No 125”), and Modification No 1 to the Lake and Nicollet Redevelopment Plan (“Modification No 1”) (collectively, the “Modifications”). Modification No 125 incorporates the Project Area into the Common Project, expands the Common Project boundary to include all of the property within the Lake and Nicollet Redevelopment Project boundary, designates additional properties (as identified in the Lake and Nicollet Redevelopment Plan) as property that may be acquired by the City, and authorizes the use of Common Project tax increment revenues for costs associated with the acquisition of 30 West Lake Street and 10 West Lake Street. Modification No 1 incorporates the Project Area into the Common Project and identifies Common Project tax increment revenues as a source that may be used to fund public redevelopment activities, including property acquisition and related costs. These actions are all pursuant to and in accordance with the Project Laws.

1.5. The City has performed all actions required by law to be performed prior to the adoption of the Modifications, including, but not limited to, a review of the Modifications by the affected neighborhood groups and the City Planning Commission, transmittal of the Modifications to the Hennepin County Board of Commissioners and the Board of Education of Special School District No 1 for their review and comment, and the holding of a public hearing upon published notice as required by law.

## Section 2. Findings and Election

2.1. The Council hereby finds, determines and declares that the objectives and actions authorized by the Modifications are all pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the area added to the Common Project by the Modifications is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that it is a blighted area pursuant to Minnesota Statutes, Section 469.028, Subdivision 3.

2.3. The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid and public assistance to be sought.

2.4. The Council further finds, determines and declares that the Modifications will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area by private enterprise.

2.5. The Council further finds, determines and declares that the Modifications conform to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Modifications were issued on January 11, 2016, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.6. The Council further finds, determines and declares that the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.



2.7. The Council further finds, determines and declares that the reasons and facts supporting the findings in this resolution are described in the Modifications.

2.8. The Council hereby finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Modifications.

### Section 3. Approval of the Modifications

3.1. Based upon the findings set forth in Section 2 hereof, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

### Section 4. Implementation of the Modifications

4.1. After passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Modifications, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an extension of contracts C-36536 and C-36537 with Casterjon Inc through February 28, 2016, for emergency and non-emergency boarding services by the Department of Regulatory Services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

### **The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following reports:**

The Minneapolis City Council hereby confirms the following Mayoral appointments and reappointments to the Minneapolis Advisory Committee on People with Disabilities for two-year terms beginning Jan. 1, 2016, and ending Dec. 31, 2017:

1. Dawn Bjerkelund, appointment.
2. David Fenley, appointment.
3. Phil Burke, appointment.

4. Kenneth Rodgers, reappointment.
5. Amanda Tempel, reappointment.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby approves the following City Council appointments and reappointments to the Minneapolis Public Health Advisory Committee:

1. Sahra Noor, Ward 2, reappointment; Sarah Jane Keaveny, Ward 9, reappointment; Margaret Reinhardt, Ward 10, reappointment; Birdie Cunningham, Ward 11, reappointment; Autumn Chmielewski, Ward 12, reappointment; and Cindy Hillyer, Minneapolis Public Schools representative, reappointment, for two-year terms beginning Jan. 1, 2016, and ending Dec. 31, 2017.
2. Stepheny Ross, Ward 1, appointment, replacing Julie Ring due to resignation, and Dr. Craig Hedberg replacing Jennifer Pelletier as the University of Minnesota School of Public Health representative, for two-year terms beginning Jan. 1, 2016, and ending Dec. 31, 2017.
3. Kathy Tuzinski, Ward 13, appointment, replacing Dr. Rebecca Thoman due to mid-term resignation, for a term beginning immediately and ending Dec. 31, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Resolution 2016R-008 recognizing the City Council as the Community Health Board for the City of Minneapolis.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-008**  
**By Gordon**

**Recognizing the City Council as the Community Health Board for the City of Minneapolis.**

Whereas, the City Council of the City of Minneapolis is the official governing body of the City of Minneapolis and has been the official Board of Health for the City of Minneapolis since 1867 as stated in the former Minneapolis City Charter, Chapter 14, section 1; and

Whereas, in 1976 the Minnesota legislature adopted the Community Health Services Act providing for State subsidies for community health services at the local level throughout the State of Minnesota; and

Whereas, the City Council adopted by resolution on Dec. 10, 1976, a plan for the provision of Community Health Services in the City of Minneapolis prepared and recommended by the Minneapolis Public Health Advisory Committee; and

Whereas, the Dec. 10, 1976, resolution also resolved that the Commissioner of Health would function as the authorized official for administering the Community Health Services Plan and funds, authorized submission of applications for Community Health Services Act subsidies, and designated the Minneapolis Department of Health as the local community health service agency but did not formally establish the City Council as a Community Health Board; and

Whereas, based upon the Dec. 10, 1976, resolution, the Minnesota Department of Health recognized the City of Minneapolis as one of the first officially recognized Community Health Boards following the passage of the original Community Health Services Act in 1976; and

Whereas, the City of Minneapolis has received Community Health Services funding annually since 1977; and

Whereas, in 2014 the Minnesota legislature revised the Local Public Health Act, Chapter 145A, eliminating Local Boards of Health and providing only for Community Health Boards; and

Whereas, under Chapter 145A, a Community Health Board may be comprised of a single city that was established as a Community Health Board prior to Jan. 1, 2014, or a single county or multiple contiguous counties; and

Whereas, the Minnesota Department of Health continues to recognize the City of Minneapolis as a single-city Community Health Board; and

Whereas, the Minneapolis City Charter approved by the voters in the 2013 election does not reference the City Council as either a local board of health or a Community Health Board;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council of the City of Minneapolis shall be formally recognized as the Community Health Board for the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following reports:**

The Minneapolis City Council hereby authorizes acceptance of the following revenue from the U.S. Food and Drug Administration (FDA) Voluntary National Retail Food Regulatory Program Standards Grant and passage of Resolution 2016R-009 appropriating the funds:

1. \$2,500 to conduct a retail standard self-assessment.
2. \$3,000 for training regulatory project staff.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-009  
By Gordon and Quincy**

**Amending The 2016 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by increasing the appropriation for the Health Department Agency in the Grants-Federal Fund (01300-8600156) by \$5,500 and increasing the revenue estimate (01300-8600156-321007) by \$5,500.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and resolution were adopted.

The Minneapolis City Council hereby authorizes a no-cost extension to Contract No. 35613 with ClearCorps USA, Inc. through Dec. 31, 2016, to conduct lead and healthy homes outreach, education, in-home visits, and referral to remediation services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Health, Environment & Community Engagement and Ways & Means Committees, Gordon offered Resolution 2016R-010 delegating authority to the Commissioner of Health to enter into Cost-Share Funding Agreements of up to \$100,000 in the Green Business Cost Sharing Program consistent with program guidelines.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-010**  
**By Gordon and Quincy**

**Delegating authority to make and execute Cost-Share Funding Agreements.**

Whereas, the City Council may, by resolution, delegate authority to make and execute contracts on behalf of the City to certain persons or to certain positions titled within the City; and

Whereas, the Green Business Cost Sharing Program reduces negative environmental impacts through a unique public/private partnership to reduce or eliminate potentially harmful emissions; and

Whereas, these emissions can have potentially negative effects on employee health as well as the health and livability of surrounding neighborhoods; and

Whereas, the City Attorney has pre-approved a Green Business Cost Sharing Program Cost-Share Funding Agreement;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby delegates authority to the Commissioner of Health, or designee, to make and execute contracts with businesses participating in the Green Business Cost Sharing Program consistent with program guidelines using the Cost-Share Funding Agreement form pre-approved by the City Attorney's Office.

Be It Further Resolved that such Cost-Share Funding Agreements not exceed \$100,000 and a term of two (2) years.

Be It Further Resolved that minor deviations to the terms and conditions of such Cost-Share Funding Agreements may be approved by the City Attorney or an Assistant City Attorney.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes execution of a contract with Ellingson Health Consulting, LLC for the provision of health policy and program consulting services to support the Health Department's Healthy Living and asthma efforts and other public health projects as needed for an amount not to exceed \$75,000 annually for a period of up to three (3) years with an extension of the contract on an annual basis for two (2) additional years at the sole option of the City, contingent upon funding and performance.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:**

The Minneapolis City Council hereby authorizes:

1. Accepting a grant from the Joyce Foundation for Police Community Engagement to support the position of a Community Engagement Coordinator in the amount of \$30,000.
2. Passage of Resolution 2016R-011 approving appropriation of funds to the Police Department.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-011  
By Yang and Quincy**

**Amending the 2016 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants-Other Fund (01600-4001100) by \$30,000, and increasing the revenue source (01600-4001100-372001) by \$30,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and resolution were adopted.

The Minneapolis City Council hereby authorizes acceptance of the 2016 National Forensic Sciences Improvement grant from the Minnesota Department of Public Safety for Police Department Crime Lab supplies, in the amount of \$7,718.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of grants from Ciresi Conlin LLP in the amount of \$25,000, and the Edward J. Phillips Family Foundation in the amount of \$24,000, for the purchase and renovation of a van for use by the Police Bike Cops for Kids program.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby approves a correction to the City Council action of October 9, 2015 (File #15-01228), relating to acceptance of a grant in the amount of \$10,980 from the Fourth Judicial Court in Hennepin County, by changing the grant amount to read \$70,900, which will fund continuation of the Police Department's participation in the Adult DWI Court in Hennepin County for one year, beginning Oct. 1, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an extension of the three-year contract with CornerHouse Interagency Child Abuse Evaluation and Training Center for conducting forensic interviews of children and vulnerable adults, extending by one year for 2016, in the amount of \$156,373.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a joint powers revenue agreement between the State of Minnesota Homeland Security and the Minneapolis Police Department/Emergency Management Division for the Police Department to provide bomb disposal units through June 30, 2016, with State reimbursement of up to \$27,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:**

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-012 designating the location and improvements proposed to be made in the 2016 Street Resurfacing Program, Special Improvement of Existing Street No. 5279.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-012**

**By Reich**

**2016 STREET RESURFACING PROGRAM  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5279**

**Designating the improvement of certain existing streets at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of the Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and other improvements as necessary:

**9th St S (5279A)**

9th St S from Cedar Ave S to 19th Ave S/Minnehaha Ave.

**Kenny Area Residential (5279B)**

55th St W, 56th St W, and 57th St W from Irving Ave S to Lyndale Ave S/Co Rd 22;  
58th St W from Irving Ave S to Sunrise Dr;  
Irving Ave S, Emerson Ave S, Dupont Ave S, Colfax Ave S, and Bryant Ave S from 54th St W to 58th St W;  
Girard Ave S and Fremont Ave S from 54th St W to 57th St W;  
Aldrich Ave S from 54th St W to Bryant Ave S, and from 57th St W to 58th St W; and  
Humboldt Ave S from 56th St W to 57th St W.

**Standish Area Residential (5279C)**

21st Ave S and 22nd Ave S from 38th St E to 39th St E;  
Standish Ave, 24th Ave S, 25th Ave S, 26th Ave S, and 27th Ave S from 38th St E to 40th St E;  
23rd Ave S from 35th St E to 40th St E;  
28th Ave S from 36th St E to 38th St E;  
29th Ave S from 42nd St E to its end approximately 260 feet north of 42nd St E;  
30th Ave S and Nokomis Ave S from 39th St E to 42nd St E;  
31st Ave S from 40th St E to 42nd St E;  
32nd Ave S from 41st St E to 42nd St E;  
Dight Ave from 41st St E to 43rd St E;  
36th St E from 23rd Ave S to 28th Ave S;  
39th St E from Standish Ave to Nokomis Ave S;  
40th St E from Standish Ave to 31st Ave S;  
41st St E from 30th Ave S to 32nd Ave S; and  
43rd St E and 44th St E from Minnehaha Ave to the railroad right-of-way.

**Howe Area Residential (5279D)**

34th St E and 36th St E from 42nd Ave S to Edmund Blvd;  
35th St E from 42nd Ave S to 47th Ave S;  
Glabe Lane from 46th Ave S to 47th Ave S;  
37th St E from 46th Ave S to Edmund Blvd;



42nd Ave S from 34th St E to 42nd St E;  
43rd Ave S, 44th Ave S, 45th Ave S, and Edmund Blvd from 34th St E to 38th St E;  
47th Ave S from Park Terrace to 36th St E, and from Glabe Lane to 38th St E;  
48th Ave S from 37th St E to 38th St E;  
Park Terrace from 34th St E to Isabel Ave (around Seven Oak Oval); and  
Isabel Ave from Park Terrace to 47th Ave S.

**Diamond Lake Area and Diamond Lake Rd (5279E)**

Clinton Ave from Diamond Lake Rd E to 60th St E;  
Diamond Lake Rd from Hampshire Dr southwesterly to its end in a cul-de-sac;  
3rd Ave S, Clinton Ave, 4th Ave S, and 5th Ave S from 60th St E to 62nd St E;  
Oakland Ave, Park Ave, and Columbus Ave from 58th St E to 61st St E;  
Park Ave from 61st Ave to Portland Ave;  
57th St E, 58th St E, and 59th St E from Portland Ave to Chicago Ave;  
58th St E from 2nd Ave S to Clinton Ave;  
Chester St from 2nd Ave S to Diamond Lake Lane;  
Roslyn Pl from Clinton Ave to Chester St;  
Diamond Lake Lane from Portland Ave to 60th St E; and  
61st St E from 2nd Ave S to Chicago Ave.

**Franklin Ave SE (5279F)**

Franklin Ave SE from Thornton St SE to the east half of Emerald St SE (city limits); and  
Franklin Ave SE from Cecil St SE to Bedford St SE.

**Bryant Ave N (5279G)**

Bryant Ave N from 45th Ave N to 53rd Ave N (city limits).

**Warrington Area Residential (5279H)**

4th Ave S from Lake St E to 38th St E;  
3rd Ave S, 5th Ave S, and Oakland Ave S from 36th St E to 42nd St E;  
Clinton Ave from 36th St E to approximately 75 feet south of 37th St E;  
Clinton Ave from 38th St E to its end in a cul-de-sac approximately 373 feet southerly of 41st St E;  
Columbus Ave from 36th St E to 37th St E, and from 38th St E to 39th St E, and from 40th St E to 42nd St E;  
37th St E from 2nd Ave S to Park Ave; and  
38th St E, 39th St E, 40th St E, and 41st St E from 2nd Ave S to Chicago Ave.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano,  
President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$7,795,088 for street resurfacing improvements and a list of benefited properties for the 2016 Street Resurfacing Program, Project No. 5279 (CPV1656), as designated by Resolution 2016R-012, passed January 15, 2016, and directs that the City Engineer prepare a proposed Street Resurfacing Special Improvement Assessment

against the list of benefited properties by applying the 2016 Uniform Assessment Rates as per Resolution 2015R-482, passed Nov. 20, 2015.

Further, public hearings are scheduled as follows in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the resurfacing of the above-designated street locations and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City:

1. Feb. 16, 2016, for 9th St S and Kenny Area Residential.
2. March 1, 2016, for Standish Area Residential, Dight Ave, 43rd St E and 44th St E, 23rd Ave S, 36th St E and 28th Ave S, Howe Area Residential, and 42nd Ave S.
3. March 22, 2016, for Diamond Lake Area Residential and Diamond Lake Rd and Franklin Ave SE.
4. April 5, 2016, for Warrington Area Residential and 4th Ave S and Bryant Ave N.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby approves the project layout for the 7th St N (1st Ave N to 2nd Ave N) Street Reconstruction Project No. 9952 and authorizes negotiation with private property owners to acquire and execute permanent sidewalk easements and additional right-of-way, if necessary.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes Amendment No. 1 to Contract No. C-40026 (OP No. 8135) with Veit and Company, Inc. to amend the contract schedule for the Storm Water Pump Station Rehabilitation Project due to construction change orders.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to Reciprocal Maintenance Use and Easement Agreement No. C-20657 with the Walker Art Center and execution of other such contracts as necessary to facilitate construction of modifications to the Vineland Ramp, Walker Art Center, and Sculpture Garden.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-013 holding the State of Minnesota harmless in granting a variance for the reconditioning of 3rd Ave S between 1st St S and 16th St S.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-013**

**By Reich**

**Directing the City Engineer to proceed with a variance request from State Aid Rules per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including Amendments adopted through Feb. 4, 2013, to the Minnesota Commissioner of Transportation for the reconditioning of 3rd Ave S between 1st St S and 16th St S.**

Whereas, the City of Minneapolis wishes to recondition 3rd Ave S between 1st St S and 16th St S; and

Whereas, Minnesota Department of Transportation State Aid Rule 8820.9951 (Minimum Design Standards, On-Road Bicycle Facilities for Urban; Reconditioning Projects) per Administrative Variance to State Aid Operation Rules, Chapter 8820, effective Oct. 1, 2011, require "Reconditioning projects for urban roadway must meet or exceed the minimum dimensions indicated in the following design chart"; and

Whereas, the design chart has design speed indicated for Collectors or Locals with Average Daily Traffic (ADT) greater than 10,000 vehicles and Arterials; and

Whereas, the urban streetscape limits the right-of-way available to accommodate a lane width of 11 feet on 3rd Ave S from Washington Ave to approximately 150 feet south of Washington Ave without reducing the available pedestrian and bicycle space; and

Whereas, the urban streetscape limits the right-of-way available to accommodate a lane width of 11 feet on 3rd Ave S from 150 feet south of Washington Ave to 7th St S without reducing the available pedestrian and bicycle space; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for variance from MnDOT State Aid Rule 8820.9951 per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including Amendments adopted through February 4, 2013, for Collectors or Locals with Average Daily Traffic (ADT) greater than 10,000 vehicles and Arterials to permit the reconditioning of 3rd Ave S from Washington Ave to approximately 150 feet south of Washington Ave with a vehicle lane width of 10 feet, and 3rd Ave S from 150 feet south of Washington Ave to 7th St S with a vehicle lane width of 10.8 feet instead of 11 feet as required by Rule 8820.9951.

Be It Further Resolved that the City Council of the City of Minneapolis hereby indemnifies, saves, and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the recondition of 3rd Ave S between Washington Ave to 7th St S in accordance with Minnesota Rules 8820.9951 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:**

The Minneapolis City Council hereby authorizes execution of temporary (construction) easements with the owners of the properties located at 5100 Logan Ave S and 1200 W 26th St for the Storm Pump Station Rehabilitation and Upgrade Project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes execution of an agreement with Ryan Companies to reimburse Ryan Companies up to \$22,000 for construction of City infrastructure according to the terms identified for Block 75 of the Downtown East Planned Unit Development.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes negotiation and execution of a contract with Hennepin County for processing and disposal of municipal solid wastes collected in Minneapolis from Jan. 1, 2016, through Dec. 31, 2017, at a rate of \$55.00 per ton.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes extension to the term of the master funding agreement with the Metropolitan Council for the Nicollet-Central Modern Streetcar Project from Dec. 31, 2015, to Dec. 31, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes amendment to Contract No. C-39431 with Kraemer North America LLC, increasing the contract by \$8,044.25, for a revised contract total of \$822,284.63, to allow payment for additional work performed as part of the Burnham Road Bridge over the Cedar Lake Channel Project and to close the contract.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-28572 with IPS extending the contract for three (3) years effective Jan. 1, 2016, to Dec. 31, 2018, with two possible one (1) year extensions for the purchase of parts, software support, credit card gateway fees, and other system upgrades necessary for ongoing maintenance and use of IPS single-space parking meters.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8185 from Concrete Idea, Inc., for an estimated annual expenditure of \$1,741,200, to furnish and deliver all

labor, materials, and incidentals necessary for the construction of concrete sidewalks, curb, curb and gutter, alleys, and drive approaches for 2016, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8187 from Landmark Structures I, L.P., in the amount of \$2,640,000, to furnish and deliver all labor, materials, and incidentals necessary for the Fridley Filter Backwash Supply Tank for the Public Works Water Treatment and Distribution Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the single bid submitted on OP No. 8195 from Dresser Trap Rock, Inc., for an estimated annual expenditure of \$136,000, to furnish and deliver Rip Rap materials for the Public Works Paving Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low responsive bid submitted on OP No. 8198 from Meyer Contracting, Inc., in the amount of \$111,945, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the Washington/Marquette Sanitary Sewer Rehabilitation Project for the Public Works Sewer Construction Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

Approved by Mayor Betsy Hodges 1/15/2016.

(Published 1/20/2016)

**The WAYS & MEANS Committee submitted the following reports:**

On behalf of the Ways & Means Committee, Glidden offered Ordinance 2016-001 amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to Administration: Ethics in Government, amending regulations relating to trust and accountability.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2016-001**  
**By Quincy and B. Johnson**  
**Intro & 1st Reading: 11/6/2015**  
**Ref to: WM**  
**2nd Reading: 1/15/2016**

**Amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to Administration: Ethics in Government.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 15.40 of the above-entitled ordinance be amended to read as follows:

**15.40. - Conflicts of interest.**

(a) *Definition of conflicts of interest.* A local official or employee, whether paid or unpaid, shall avoid any situation that might give rise to a conflict of interest. A conflict of interest is present when, in the discharge of official duties, a local official or employee participates in a governmental decision, action or transaction in which he or she has a financial interest, except when that financial interest is no greater than that of another member of his or her business classification, profession or occupation or in matters involving city litigation when that financial interest is no greater than that of another member of the public impacted by the litigation. A financial interest is any interest, including loans, which shall yield, directly or indirectly, a monetary or other material benefit to the local official or employee (other than monetary or material benefits authorized by the city). A financial interest of a local official's or employee's employer (other than the City of Minneapolis), his or her associated business, or member of his or her household, including a spouse, domestic partner, or dependent, and their employers or associated businesses shall also be considered a financial interest of the local official or employee. The following assets shall not be considered a financial interest for purposes of this section:

- (1) Ownership of shares in a diversified mutual fund.
  - (2) Membership in a pension plan or employee benefit plan.
  - (3) Ownership of bonds or publicly traded securities with a market value of less than two thousand five hundred dollars (\$2,500.00).
  - (4) Ownership of a whole life insurance policy.
- (b) Addressing conflicts of interest. To address conflicts of interest:

(1) A local official or employee shall not participate in making or attempt to use his or her position to influence any city governmental decision, action, or transaction in which the local official or employee knows or has reason to know that he or she has a conflict of interest. To participate or participation means making the decision, taking action, entering into a transaction, providing advice or a recommendation, introducing, sponsoring, debating, voting on, approving, and investigating the decision, action, or transaction. Participation includes the direct and active supervision of the participation of a subordinate in the matter. Participation is more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral basis.

(2) A local official or employee may participate in a city governmental decision, action, or transaction involving an organization or entity when the local official or employee, or his or her spouse, domestic partner, or dependent is an officer, director, board member, or trustee, if the local official or employee does not have a financial interest in the governmental decision, action, or transaction. However, the local official or employee must disclose his or her affiliation with the organization or entity as though it were a conflict of interest. A local official or employee may participate in a city governmental decision, action, or transaction when the local official or employee has a financial interest in a matter involving city litigation but that financial interest is no greater than that of another member of the public impacted by the litigation. However, the local official or employee must disclose his or her financial interest in the litigation as though it were a conflict of interest.

(3) A local official or employee may participate in a city governmental decision involving a related person, other than his or her spouse, domestic partner, or dependent, if the local official or employee does not have a financial interest in the governmental decision, action, or transaction. However, the local official or employee must disclose his or her relationship with the related person as though it were a conflict of interest.

(4) Any lobbyist (other than an employee of the city) who is lobbying on behalf of the city must disclose a complete list of the principals represented by that lobbyist or other lobbyists in the same firm, along with the project or projects on which lobbying is expected to occur on a principal's behalf, to all elected officials of the city and the city clerk. The ethics officer will report to the intergovernmental relations committee on what projects, if any, create, or may create a professional conflict of interest for the lobbyist. A professional conflict of interest is a situation where the interests of a principal of the lobbyist are or may be adverse to the interests of the city. The lobbyist must update the list any time there is a change in his or her list.

(c) Disclosure of conflicts of interest. If a local official or employee, in the discharge of his or her official duties, recognizes that his or her participation would create a conflict of interest, the local official or employee shall disclose the conflict of interest as follows:

(1) The mayor and members of the city council shall disclose the conflict of interest to each other as soon as they become aware of the conflict. If such official becomes aware of a conflict during a meeting of the city council, or one (1) of its committees, or the executive committee, the official shall immediately disclose the conflict of interest orally. The mayor or city council member shall also prepare, on a form prescribed by the city clerk, a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The written statement shall be distributed to the mayor and the members of the city council and filed with the city clerk. After the first time the official has orally disclosed a conflict of interest and filed the form, the elected official may subsequently orally disclose a conflict by referring to the form. Because the mayor or city council members may not



attend all city council or committee meetings, oral disclosure may consist of the written statement being read into the record by the presiding officer at the first regular meeting of the city council after the form has been filed.

(2) A department head shall disclose a conflict of interest to the mayor and the city council by preparing, on a form prescribed by the city clerk, a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The form shall be distributed to the mayor and the members of the city council and filed with the city clerk.

(3) A local official who is not an employee and who is not covered by paragraphs (1) and (2) above shall disclose a conflict of interest to the other individuals on the agency, authority or instrumentality as soon as the local official becomes aware of the conflict. If a local official becomes aware of a conflict during a meeting, the local official shall immediately disclose the conflict of interest orally. The local official shall also prepare, on a form prescribed by the city clerk, a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The written statement shall be distributed to the mayor and city council, any department head whose jurisdiction or agency could be affected, and filed with the city clerk.

(4) An employee who is not covered by paragraphs (1), (2) or (3) above shall disclose a conflict of interest (i) orally to his or her supervisor; and (ii) in writing as described below. If there is no supervisor, an employee shall disclose a conflict of interest in writing as described below. An employee who is required to disclose a conflict of interest in writing under this paragraph (4) shall prepare, on a form prescribed by the city clerk, a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The written statement shall be distributed to the employee's immediate supervisor and department head, and filed with the city clerk.

(5) All initial written statements required by this section shall be filed not later than June 1, 2003. Thereafter, they shall be filed and distributed within one (1) week after the local official or employee becomes aware of the conflict of interest.

(6) If the local official or employee has a supervisor, the supervisor shall assign the matter, if possible, to another person who does not have a conflict of interest. If they have no immediate supervisor, the local official or employee shall remove himself or herself from participating in the action or decision in question. If the local official is a member of the city council or the mayor, the local official shall not participate in any discussion or vote on any matter involving the conflict of interest. Although the mayor or city council member must abstain from voting on the matter, he or she shall be counted present for purposes of a quorum.

Section 2. That Section 15.60 of the above-entitled ordinance be amended to read as follows:

**15.60. - Outside employment.**

(a) A local official or employee shall not accept employment or enter into a contract that:

(1) Interferes with the proper discharge of his or her public duty; or

(2) Creates a conflict of interest that would materially impair the local official's or employee's ability to serve the city.

Local officials, as defined in subsection (3) of that definition in section 15.280(m)(3), who are not subject to provisions (c) and (d) of this section must still comply with this provision.

(b) Except for employment with the city, a local official or employee shall not accept employment or enter into a contract with any party or beneficiary to:

(1) A pending or existing city contract if the local official or employee participated in the negotiation, development, awarding, or management of that contract; or

(2) Any other matter involving the local official's or employee's department or agency if the local official or employee participated in that matter.

(c) A local official, as defined in subsections (1) or (2) of that definition in section 15.280(m)(1) or (m)(2) of this ordinance Code, or an employee shall not solicit or accept any money or other thing of value in return for advice or assistance on matters concerning the operation or business of city government.

(d) A local official, as defined in subsections (1) or (2) of that definition in section 15.280(m)(1) or (m)(2) of this ordinance Code, or an employee shall not represent any person or organization for a fee or any other thing of value, before the mayor, the city council, any city council committee member, or the executive committee, before any department of the city, or before any city board, agency, commission, or committee of a city board, agency or commission.

(e) An appointed local official, as defined in subsection (2) of that definition in section 15.280(m)(2) of this ordinance Code, or an employee shall:

~~(1) Notify his or her department head before accepting outside employment or entering into a contract for services. Notification shall be in writing on the form prescribed by the city clerk.~~

~~(2) (1)~~ Not use city facilities or equipment to solicit or perform outside work. This provision shall not apply to sworn employees of the police or fire department who use city facilities or equipment for outside work in accordance with written department policies.

~~(3) (2)~~ Not solicit or perform outside work during the local official's or employee's hours of employment. The written permission must address the use of vacation or compensatory time, if applicable.

(f) An appointed local official, as defined in subsection (2) of that definition in section 15.280 of this Code, or an employee, shall provide notification before accepting outside employment or entering a contract for services. Subsequently, such notification shall be submitted annually on the last Monday of January of each year that the outside employment or contract for services exists. The notification shall be in writing on the form prescribed by the ethics officer.

(1) An employee, other than a department head, shall provide the notification to his or her department head.

(2) A department head shall provide his or her notification to the chair of the appropriate appointing authority.

(3) An election judge employed on a temporary basis is exempt from this notification requirement.

(4) A stagehand/production technician employed on a temporary basis is exempt from this notification requirement.

Section 3. That Section 15.80 of the above-entitled ordinance be amended to read as follows:

**15.80. - Statements of economic interest.**

(a) Minnesota Statutes, Sections 10A.01 and 10A.09 require a local official who holds elective office in the city or who is appointed to or employed in a public position in the city in which the person has authority to make, to recommend, or to vote on as a member of a decision making body, major decisions regarding the expenditure or investment of public money to file a statement of economic interest. In accordance with these statutes and with the provisions of this ~~ordinance~~ Code, the following persons shall file a statement of economic interest with the city clerk on a form prescribed by the city clerk. The statement of economic interest shall include sections for disclosing sources of compensation, securities, real property, investments in pari-mutuel horse racing, and loans. A loan from a financial lending institution, negotiated by unrelated parties each acting in his or her own self interest, with an interest rate of at least a market rate, does not need to be reported. The statement shall include the economic interests of the person filing the statement and his or her spouse or domestic partner, if any.

(1) A candidate for the office of mayor, city council member, or board of estimate and taxation member within fourteen (14) days after filing an affidavit of candidacy or petition to appear on the ballot for an elective city office; and

(2) An elected local official, as defined in subsection (1) of that definition in section 15.280(m)(1) of this ~~ordinance~~ Code, within sixty (60) days after commencing his or her term of office; and

(3) Appointed local officials, as defined in subsection (2) of that definition in section 15.280(m)(2) of this ~~ordinance~~ Code, or employees, within sixty (60) days of accepting appointment or employment as a local official or employee in a position which the city council has determined has authority to make, to recommend, or to vote on as a member of a decision making body, major decisions regarding the expenditure or investment of public money. The list of these positions shall be maintained by the department of human resources; and

(4) Individuals appointed or designated by the mayor or appointed by the city council to the following agencies, authorities, or instrumentalities, within sixty (60) days of accepting appointment or employment as a local official:

Bassett Creek Watershed Management Commission

Family Housing Fund, Minneapolis/St. Paul

Planning Commission, Minneapolis

Public Housing Authority, Minneapolis

Shingle Creek Watershed Management Commission

Sports Facilities Commission, Metropolitan.

(b) Each individual who is required to file a statement of economic interest shall file a ~~supplementary~~ an annual statement on April 15 the last Monday in January of each year that he or she remains a local official ~~if information on the most recently filed statement has changed. A local official shall file a supplementary statement within ten (10) days after becoming aware of an inaccuracy in any previously filed statement.~~

(c) Within thirty (30) days after leaving office, a local official shall file a statement of economic interest covering the period from the end date of the most recent statement through the last day of service as a local official if information on the most recently filed statement has changed.

(d) Individuals required to file a statement of economic interest are subject to the penalty provisions of Minnesota Statutes, Section 10A.09 and this ~~ordinance~~ Code. All statements filed with the city clerk shall be public data.

Section 4. That Section 15.90 of the above-entitled ordinance be amended to read as follows:

**15.90. - Post employment restrictions.**

(a) A former local official or employee shall not disclose or use any confidential, private, nonpublic, privileged or proprietary information gained by reason of his or her city employment.

(b) During the period of one (1) year after leaving city office or employment:

(1) A local official, as defined in subsection (1) of that definition in section 15.280~~(m)(1)~~ of this ~~ordinance~~ Code, shall not represent or lobby on behalf of any person or organization on any matter before the city.

(2) A local official, as defined in subsection (2) of that definition in section 15.280~~(m)(2)~~ of this ~~ordinance~~ Code, or an employee shall not represent or lobby on behalf of any person or organization on any matter before the city in which the former local official or employee participated. A local official, as defined in subsection (3) of that definition in section 15.280~~(m)(3)~~ of this ~~ordinance~~ Code, may only represent or lobby on behalf of a person or organization on a matter before the city in which the former local official participated when that participation was only advisory in nature.

(3) A local official or employee shall not participate as a competitor in any competitive selection process for a city contract, nor shall any city contract be awarded to such a former local official or employee, in which they assisted the city in recommending or approving the project or work to be done or recommending or approving the process to be used.

(c) The prohibitions of this section shall not apply to a former local official or employee acting on behalf of the city, its departments, independent boards and commissions, or another governmental agency unless such assistance or representation is adverse to an adopted policy or position of the city

Section 5. That Section 15.100 of the above-entitled ordinance be amended to read as follows:

**15.100. - City property and resources.**

(a) A local official or employee shall not engage in or permit the unauthorized use or destruction of city property, funds, or resources.

(b) A local official or employee shall not direct or request subordinates to use official time to perform any activities for the local official's or employee's personal convenience, profit or benefit.

Section 6. That Section 15.110 of the above-entitled ordinance be amended to read as follows:

**15.110. - Political activity.**

(a) A local official or employee shall not use his or her official authority or influence to compel any person to apply for membership in or become a member of any political organization, to pay or promise to pay a political contribution, or to take part in political activity.

(b) A candidate for, or holder of, elective office is subject to the campaign finance and public disclosure provisions of Minnesota Statutes, Chapter 10A and Chapter 383B.

(c) A local official, employee or candidate for elective office shall not use city facilities, property, funds, personnel, the city logo, the city seal or other city resources to engage in political activity.

Section 7. That Section 15.200 of the above-entitled ordinance be amended to read as follows:

**15.200. - Inappropriate influence.**

(a) The role of a local official or employee is to exercise his or her judgment to further the best interests of the city. For an appointed local official or employee this includes making recommendations to elected officials and providing elected officials with multiple policy options and the advantages and disadvantages of these options. Once the city council and/or the mayor officially sets policy, the job of a local official, as defined in subsection (2) of that definition in section 15.280(m)(2) of this ordinance Code, or an employee is to implement the policy in good faith, regardless of his or her personal views.

(b) An elected local official or the employee of an elected local official shall not inappropriately influence the exercise of professional judgment by the city's staff. Examples of inappropriate influence by an elected official, or the employee of an elected official, include asking or ordering an appointed local official or employee to:

(1) Violate this code of ethics or an applicable code of professional responsibility under which the local official or employee operates; or

(2) Do a special favor or make an exception for a constituent or other individual or organization contrary to existing law or adopted city policy; or

(3) Misrepresent that local official's or employee's recommendation to other elected officials.

Section 8. That Section 15.210 of the above-entitled ordinance be amended to read as follows:

**15.210. - Ethical practices board.**

(a) The ethical practices board will be composed of three (3) members appointed by an appointing committee. The members of the appointing committee shall be the Chief Judge of Hennepin County District Court, the Dean of the University of Minnesota Law School, and the Dean of the University of St. Thomas School of Law. In making the appointments, the committee shall follow the city's open appointments process, supplemented by the following:

(1) The ethics officer shall notify non-partisan civic and community groups, colleges and universities of any openings on the board.

(2) At least thirty (30) days prior to making an appointment, the committee shall submit the names of the finalists for the position to the mayor and the city council for comment.

(3) Upon receiving the names, the city council shall schedule a public hearing to solicit public input on the finalists.

(b) One (1) member of the ethical practices board will be appointed for an initial term to expire on January 2, 2005; two (2) members will be appointed for an initial term to expire on January 2, 2006. All subsequent appointments will be made for three (3) year terms. All members shall serve until their successors have been appointed and qualified. The appointing committee may remove a board member for cause at any time during the board member's term of office. The chair of the board shall be elected by the membership from among its members.

(c) No member of the ethical practices board may be a current local official or city employee; the related person of a current local official or current city employee; a candidate for elected public office; a former elected local official or former city employee during the five (5) year period subsequent to leaving city office or employment; a person who, for compensation, represents the private interests of others before the city council or mayor; or a paid campaign worker or political consultant of a current local official. For purposes of this section, "employee" does not include a person who serves for compensation or pro bono as an election judge.

(d) The ethical practices board shall have jurisdiction to review and make findings concerning any alleged violation of this ethics code by any person subject to those provisions, including but not limited to a current or former elected or appointed local official who is a member of an agency, authority, or instrumentality listed in subsection (3) of that definition in section 15.280(m)(3) of this Code. The ethical practices board may not consider any alleged violation that occurred before the adoption of this Code or more than one (1) year before the date of the filing of a complaint.

(e) The ethical practices board has the following powers only:

(1) To establish, amend and repeal rules and procedures governing its own internal organization and operations in a manner and form consistent with this Code.

- (2) To meet as often as necessary to fulfill its responsibilities.
  - (3) To request from the mayor and city council the appointment of such staff as is necessary to carry out the duties of the board.
  - (4) To make notifications, extend deadlines and conduct investigations.
  - (5) To respond to local official and employee complaints and questions regarding this Code.
  - (6) To give opinions on the interpretation of this Code.
  - (7) To make findings of fact as necessary.
  - (8) To make recommendations of discipline for violations of this Code by elected and non-employee local officials.
  - (9) To review, index, maintain on file and dispose of complaints.
  - (10) Such other powers as are specifically granted in this Code.
- (f) The ethical practices board shall prepare and submit an annual report to the mayor and the city council detailing the ethics activities of the board and the city during the prior year. The format of the report must be designed to maximize public and private understanding of the board and city ethics activities. The report may recommend changes to the text or administration of this Code. The city clerk shall take reasonable steps to ensure wide dissemination and availability of the annual report of the ethical practices board and other ethics information reported by the board.

Section 9. That Section 15.240 of the above-entitled ordinance be amended to read as follows:

**15.240. - Sanctions.**

- (a) An appointed or classified employee who violates the code of ethics may be subject to disciplinary action, up to and including termination of city employment.
- (b) The ethical practices board shall review allegations of violations of this Code of ethics by an elected official, a department head, or an appointed local official who is a member of a city agency, authority or instrumentality ~~listed as defined in subsection (3) or (4) of the local official definition in section 15.280(m)(3) of this Code.~~ Once the review is complete the ethical practices board shall report its sustained findings and any recommendations for discipline regarding an elected official to the mayor, the ~~ways and means/budget assigned~~ committee and the city council consistent with the Minnesota Government Data Practices Act and open meeting law. The ethical practices board shall report sustained findings regarding a department head to the appropriate appointing authority consistent with the Minnesota Government Data Practices Act and open meeting law. The ethical practices board shall report sustained findings regarding an appointed local official who is a member of a city agency, authority or instrumentality ~~listed as defined in subsection (3) or (4) of the local official definition in section 15.280(m)(3) of this Code~~ to the appropriate appointing authority consistent with the Minnesota Government Data Practices Act and open meeting law.

(c) The statement of economic interest required by this Code of ethics shall be signed and certified as true by the person required to file the report. Any person who signs and certifies that a report or statement is true, which he or she knows contains false information or knows omits required information is guilty of a misdemeanor.

Section 10. That section 15.260 of the above-entitled ordinance be amended to read as follows:

**15.260. - Ethics education.**

Each local official or employee shall attend an ethics education seminar within twelve (12) months of the effective date of this ~~ordinance~~ Code. New employees and local officials shall ~~attend~~ participate in an ethics education ~~seminar~~ training within six (6) months of becoming a local official or employee. Employees shall ~~attend~~ participate in ethics education ~~seminars~~ training every three (3) years thereafter. Non-employee local officials and elected local officials shall ~~attend~~ participate in an ethics education ~~seminars~~ training every four (4) years thereafter. Employees in the job titles of election judge and stagehand/production technician temporary intermittent are exempt from this education requirement but shall be provided a copy of this Code upon hire. The ~~seminar~~ training shall educate persons as to their duties and responsibilities under this Code. The human resources department shall design and implement the ethics education ~~seminars~~ training. Department heads are responsible for ensuring that all of their employees attend this training.

Section 11. That Section 15.280 of the above-entitled ordinance be amended to read as follows:

**15.280. - Definitions.**

~~(a)~~ *Associated business* means any association in connection with which the individual is compensated in excess of fifty dollars (\$50.00) in any month, except for actual and reasonable expenses, as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth two thousand five hundred dollars (\$2,500.00) or more at fair market value.

~~(b)~~ *Candidate* means any individual who files an affidavit of candidacy or petition to appear on the ballot for the offices for mayor, city council member or board of estimate and taxation member.

*Compensation* means payments received in excess of fifty dollars (\$50) in any month from an associated business, payments for services as an independent contractor, payments for other self-employment activity, and income from rental property.

~~(c)~~ *Confidential information* means information that is not accessible to the public or to the subject of the information, if any.

~~(d)~~ *Conflict of interest* means a situation where a local official or employee, in the discharge of official duties, participates in a governmental decision, action or transaction in which he or she has a financial interest, except when that interest is no greater than that of another member of his or her business classification, profession or occupation.



~~(e) Department head means a person having ultimate responsibility and authority for the following units and their successors:~~

~~Assistant city coordinator, chief information officer~~

~~Assistant city coordinator, city finance officer~~

~~Assistant city coordinator, communications~~

~~Assistant city coordinator, director, intergovernmental relations~~

~~Assistant city coordinator, director of human resources~~

~~Assistant city coordinator, emergency communications director~~

~~Assistant city coordinator, Minneapolis Convention Center~~

~~Assistant city coordinator, regulatory services and emergency preparedness~~

~~City assessor~~

~~City attorney~~

~~City coordinator~~

~~Commissioner of health~~

~~Chief of fire~~

~~Chief of police~~

~~City clerk~~

~~Director of the department of civil rights~~

~~Director of the department of community planning and economic development~~

~~Director of public works.~~

311

911

City Assessor's Office

City Coordinator

Communications

Community Planning and Economic Development

Convention Center

Office of the City Attorney

Civil Rights Department

Emergency Management

Finance and Property Services

Fire Department

Health Department

Human Resources Department

Information Technology

Intergovernmental Relations

Internal Audit

Neighborhood and Community Relations

Office of the City Clerk

Police Department

Public Works Department

Regulatory Services

(f) *Election* means a general, special, primary or special primary election.

(g) *Employee* means a person who holds a civil service classified or unclassified title or position in the city. Unless specifically excluded, the term "employee" shall include an elected local official as defined by subsection (1) of the "local official" definition and an appointed local official as defined by subsection (2) of the "local official" definition. The term "employee" shall not include a local official as defined by subsections (3) and (4) of the "local official" definition, anyone in the hire of the park and recreation board ~~or library board~~, or any independent contractor.

(h) *Financial interest* means any interest, including loans, which shall yield, directly or indirectly, a monetary or other material benefit to the local official or employee (other than monetary or material benefits authorized by the city). A financial interest of a local official's or employee's employer (other than the City of Minneapolis), his or her associated business, or his or her spouse, domestic partner, or dependent shall also be considered a financial interest of the local official or employee. The following assets shall not be considered a financial interest for purposes of this section:

(1) Ownership of shares in a diversified mutual fund.

(2) Membership in a pension plan or employee benefit plan.

(3) Ownership of bonds or publicly traded securities with a market value of less than two thousand five hundred dollars (\$2,500.00).

(4) Ownership of a whole life insurance policy.

(i) *Gift* ~~means~~ includes but is not limited to money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

Household includes anyone whose residence is in the same home, including non-related persons who are not rent payers or servants.

~~(j)~~ *Interested person* means a person or a representative of a person or association that has a direct financial interest in a decision that a local official or employee is authorized to make.

~~(k)~~ *Lobby* means to attempt to influence any city council or mayoral action, city administrative action, or city proceeding by communicating or urging others to communicate with local officials or employees.

~~(l)~~ *Lobbyist* means an individual engaged for pay or other consideration, or authorized to spend money by another individual, association, political subdivision, or public higher education system, or an individual who spends more than two hundred fifty dollars (\$250.00) in any year, for the purpose of attempting to influence legislative or administrative action, or other city action, by communicating or urging others to communicate with public or local officials.

~~(m)~~ *Local official* means a person holding the following elected or appointed positions:

(1) The following elected officials: city council members; the mayor; and elected members of the board of estimate and taxation.

(2) Persons employed by the city in appointed positions, or holding the title of an appointed position. A list of the city's appointed positions shall be maintained by the department of human resources.

(3) Individuals serving on a city board, commission or advisory committee.

(4) Individuals appointed or designated by the mayor or appointed by the city council to multi-jurisdictional agencies, authorities, or instrumentalities.

~~(n)~~ *Nonpublic information* means information that is not accessible to the public, but is accessible to the subject of the information, if any.

~~(o)~~ *Official* means a public official, an employee of the legislature, or a local official of a metropolitan governmental unit.

*Outside employment* means but is not limited to being an employee of an entity, forming a corporation, partnership or sole proprietorship, or entering in a contract, written or verbal, to provide goods or services in exchange for compensation.

~~(p)~~ *Participate or participation* means making a decision, taking action, providing advice or a recommendation, introducing, sponsoring, debating, voting on, approving, or investigating the decision, action, or transaction. Participation includes the direct and active supervision of the participation of a subordinate in the matter. Participation is more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral issue.

~~(q)~~ *Principal* means an individual or association that:

(1) Spends more than five hundred dollars (\$500.00) in the aggregate in any calendar year to engage a lobbyist, compensate a lobbyist, or authorize the expenditure of money by a lobbyist; or

(2) Is not included in clause (1) and spends a total of at least fifty thousand dollars (\$50,000.00) in any calendar year on efforts to influence city council action, administrative action, or other city action.

~~(f)~~ *Private information* means information that is not accessible to the public but is accessible to the subject of the information.

~~(g)~~ *Privileged information* means information that is learned by a local official or employee in the course and scope of his or her duties, and includes information that the law protects from forced disclosure because of a protected relationship, such as the attorney-client relationship.

~~(h)~~ *Professional conflict of interest* means a situation where the interests of a principal of the lobbyist are or may be adverse to the interests of the city.

~~(i)~~ *Proprietary information* means information belonging exclusively to the city.

~~(j)~~ *Related person* shall mean a person in a marital relationship, a domestic partner relationship or other committed relationship with a local official or employee, or in a significant familial relationship with a local official or employee.

~~(k)~~ *Significant familial relationship* means:

(1) By blood or adoption: parent, child, grandparent, grandchild, brother, sister, half-brother, half-sister, uncle, aunt, nephew, niece, first cousin.

(2) By marriage: husband, wife, stepparent, stepchild, stepbrother, stepsister, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, uncle, aunt, nephew, niece. Divorce terminates a significant familial relationship by marriage.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The ordinance was adopted.

The Minneapolis City Council hereby approves the settlement of the lawsuit Chee Thao v. City of Minneapolis by payment of \$5,000 to Chee Thao and Cody Lay Group, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby approves a contract increase on Contract No. C-39845 of \$239,347 for a new contract total of \$1,539,347, representing the total of all invoices necessary to close-out this contract and make final payment on the Convention Center Railing Enhancement Project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby accepts the low bid of Pioneer Power, Inc. (OP No. 8182) for an estimated expenditure of \$154,200 to furnish and deliver all labor, materials, and incidentals necessary for the Hiawatha Heating, Ventilation and Air Conditioning (HVAC) equipment installation, and authorizing a contract for this project all in accordance with Finance & Property Services Department specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby accepts the low bid of Northland Mechanical Contractors, Inc. (OP No. 8186) for an estimated expenditure of \$63,000 to furnish and deliver all labor, materials, and incidentals necessary for the Fire Station No. 14 Heating, Ventilation and Air Conditioning (HVAC) equipment installation, and authorizing a contract for this project all in accordance with Finance & Property Services Department specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a Request for Proposals (RFP) for architectural and engineering services related to the planning, design and construction of an Eastside Storage and Maintenance facility to be located at 340 27th Avenue NE for office/support, storage and maintenance of heavy vehicles for the City of Minneapolis and for the Minneapolis Parks and Recreation Board (MPRB).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Adopts the Defined Contribution Retirement Plan (as restated effective Oct. 1, 2015, the "Restated DC Plan"),
2. Authorizes execution of the Adoption Agreement of the Restated DC Plan,
3. Authorizes execution of any and all documents necessary and pay required fees necessary to submit an Application for Determination for Adopters of Modified Volume Submitter Plans to the IRS, and
4. Authorizes that any changes to the Restated Plan required by the IRS for a favorable determination letter are approved without further action by the City Council.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

Approved by Mayor Betsy Hodges 1/15/2016.

(Published 1/20/2016)

The Minneapolis City Council hereby authorizes the termination of the Ardent Technologies, Inc. contract (Contract No. C-38083) for Breach of Deliverables, as stated in the contract for services, originally executed to provide support, maintenance and enhancement of the Solid Waste Information System (SWIS) application software.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Ways & Means Committee, Glidden offered Resolution 2016R-014 accepting gifts covering the registration expense at the TriTech Software Systems - TriCON 2016 Annual Training Sponsor Conference for Scott Petersen, Senior Applications Analyst, Information Technology Department.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-014**

**By Quincy**

**Accepting donations for conference expenses for the Information Technology Department.**

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

**Name of Donor**

TriTech Software Solutions

**Gift**

Conference expense including registration for Minneapolis Senior Applications Analyst; for participation in the TriTech Software Solutions - TriCON 2016 Annual Training Sponsor Conference February 2016 in San Diego, CA; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in: participating in out-of-town information technology (IT) conferences; sharing ideas and challenges with public sector peers and industry experts; and keeping current with IT trends, opportunities and solutions for local government, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are hereby accepted and shall be used for efficient and effective leadership and management of the City's Information Technology Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes extension of the SecuroNet, LLC vendor's form contract (Contract No. C-39098) to Dec. 31, 2016, and increasing the contract from \$22,298 to a new not-to-exceed amount of \$40,298 for video camera surveillance network service.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Authorizes execution of an amended and restated charitable pledge agreement with Minnesota Vikings Football, LLC providing for an additional \$2 million in charitable contributions for the Downtown East Commons.

2. Passage of Resolution 2016R-015 authorizing the City of Minneapolis to accept a \$2 million gift from Minnesota Vikings Football, LLC, for construction and operating costs of the Downtown East Commons.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-015**

**By Quincy**

**Authorizing the City of Minneapolis to accept a \$2 million gift from Minnesota Vikings Football, LLC, for construction and operating costs of the Downtown East Commons.**

Whereas, the City has authority under the City Charter and Minnesota Statutes, sections 469.048-469.068, to acquire land as part of an industrial development district to address blight caused by marginal property; and

Whereas, pursuant to that certain Development Agreement (the “DTE Development Agreement”) dated February 10, 2014 among the City, Ryan Companies US, Inc. (“Ryan”) and the Minnesota Sports Facilities Authority (“MSFA”), and in furtherance of its public purposes, the City has agreed to acquire certain real property referred to therein as the “Green Space Property”; and

Whereas, the Green Space Property is part of a 5-block mixed-use development undertaken by Ryan, which also includes office space, retail space, multi-family housing, a public parking ramp and skyway connections; and

Whereas, the DTE Development Agreement obligates Ryan to demolish existing improvements and construct certain basic improvements to the Green Space Property prior to conveyance of the Green Space Property to the City by July 1, 2016; and

Whereas, in December 2014 the City approved plans and specifications for such basic improvements (the “Turnkey Improvements” or “Basic Park”) pursuant to Section 7.1(c) of the DTE Development Agreement and Section 3.3.1 of that certain Green Space Construction Loan Agreement dated February 10, 2014 between the City and Ryan (the “Green Space Loan Agreement”); and

Whereas, the City and Minnesota Vikings Football, LLC (the “Vikings”) are parties to that certain Charitable Pledge Agreement dated February 10, 2014, pursuant to which the Vikings contributed \$1 million to the City for costs of development and construction of the Basic Park (the “Original Pledge Agreement”); and

Whereas, in January 2015 the City retained Hargreaves Associates, a California corporation (“Hargreaves”) to design enhancements to the Basic Park, now known as the “Downtown East Commons” (the “Commons”), in accordance with principles adopted by a City-appointed advisory committee, with input from the public, and in consultation with a technical advisory committee that includes representation from the Minneapolis Park and Recreation Board, the MSFA, the Minnesota Vikings, Ryan and other stakeholders (the “Enhancements”). The Hargreaves contract contemplates that the Enhancements will be designed and constructed in phases tied to the availability of funding – currently referred to as the “Opening Day Commons” or “Interim Enhancements” and the “Ultimate Commons” or “Ultimate Enhancements”; and



Whereas, the City and the Vikings desire to amend and restate the Original Pledge Agreement to provide for additional charitable contributions in the total amount of \$2 million, with \$1 million to be paid by January 15, 2016 and \$1 million by March 31, 2016 from the Vikings to the City; Between 17% to 23% of the additional contribution (\$340,000 to \$460,000) is to be reserved for operating costs of the Commons with the balance (\$1,660,000 to \$1,540,000) to be utilized for capital expenditures at the Commons (the "Vikings Pledge"); and

Whereas, Minnesota Statutes Section 465.03 requires that gift acceptance be made by resolution of the City Council, adopted by a two-thirds majority of its members and expressing such terms in full;

Now Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Vikings' additional pledge of \$2 million, (with between \$1,660,000 and \$1,540,000 available for capital costs and between \$340,000 and \$460,000 to be reserved for operating costs of the Commons), be accepted as a gift on behalf of the City of Minneapolis.

Be It Further Resolved that the City, in its discretion, will provide recognition to the Vikings within the parameters of the Urban Park Use Agreement; acceptance of a gift does not imply endorsement of any product, service or entity nor entitle the donor to favored treatment in pending or future procurement decisions.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and resolution were adopted.

**The ZONING & PLANNING Committee submitted the following reports:**

The Minneapolis City Council hereby grants the appeal submitted by Melisa Pollak regarding the decision of the Zoning Board of Adjustment denying a variance (BZZ-7457) to increase the maximum permitted height of a fence in the established front yard from 3 feet to 6 feet for the property located at 2012 Cedar Lake Parkway, and directs staff to draft findings.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On motion by Bender, the following report was postponed:

The Minneapolis City Council hereby grants the appeal submitted by Lori Smith, on behalf of Wells Fargo, regarding the following decisions of the City Planning Commission for a new 4,500 square foot, single-story bank building with a drive through located at 1505 W Lake Street:

1. A variance (BZZ-7463) approving a total of 25 parking spaces, conditioned on the applicant working with staff to identify opportunities for shared parking with neighboring entities when the bank is closed.
2. Condition of approval #3 for the site plan review is revised to allow a maximum of 25 parking spaces.

The Minneapolis City Council hereby grants the appeal submitted by Schafer Richardson regarding conditions of approval #4, #5, and #9 by the Heritage Preservation Commission decision approving a Certificate of Appropriateness applications (BZH-28900) to allow exterior alterations to the 112 E Hennepin Building and 116 E Hennepin building, and to allow a new six story building to be constructed attached to the historic buildings, for the property located at 112 E Hennepin Ave. Condition of approval #10 was withdrawn by the applicant.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves the application submitted by Alexander Roberts to rezone (BZZ-7292) the property located at 528 University Ave SE, from the R5 Multiple-family District to the C1 Neighborhood Commercial District, to expand a restaurant and establish a 5-room hotel, and adopts the related findings as prepared by Community Planning & Economic Development.
2. Passage of Ordinance 2016-002 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2016-002**  
**By Bender**  
**Intro & 1st Reading: 1/6/2014**  
**Ref to: Z&P**  
**2nd Reading: 1/15/2016**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

Lot 1, Block 34, St. Anthony Falls, Hennepin County, Minnesota (528 University Ave SE - Plate #15) to the C1 Neighborhood Commercial District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and ordinance were adopted.

The Minneapolis City Council hereby:

1. Approves the landmark designation (BZH-28284) of 404 West Broadway, subject to the Secretary of the Interior's Standards for Treatment of Historic Properties to be used to evaluate alterations to the property.
2. Passage of Resolution 2016R-016 designating 404 West Broadway as a landmark.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-016**

**By Bender**

**Designating 404 West Broadway as a Landmark.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on December 15, 2015, and recommended to the Standing Committee on Zoning and Planning that 404 West Broadway, be designated as a Landmark; and

Whereas, 404 West Broadway meets Heritage Preservation Regulations significance criterion #1 (the property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); and criterion #3 (the property contains or is associated with distinctive elements of city or neighborhood identity); and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on November 19, 2015; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such favorable comment being made in a letter dated November 13, 2015; and

Whereas, the 404 West Broadway local landmark designation will include the exterior of the property; and

Whereas, on January 7, 2016, the Standing Committee on Zoning and Planning recommends designation as an Historic Landmark;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That 404 West Broadway is hereby designated a Landmark.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and resolution were adopted.

The Minneapolis City Council hereby denies the landmark designation (BZH-28284) of 410 West Broadway.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (11)

Noes: Yang (1)

Absent: Quincy (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves the application submitted by Rick Filler, on behalf of HIC/CA Prospect Park JV, LLC, to rezone (BZZ-7438) the property located at 2929 University Ave SE, from the LI Light Industrial District to the C3A Commercial Activity Center District and remove the IL Industrial Living Overlay District, to construct a mixed-use building including the 336 dwelling units (547 beds), approximately 41,000 square feet of commercial space, and a total of 358 parking spaces, and adopts the related findings as prepared by Community Planning & Economic Development.

2. Passage of Ordinance 2016-003 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2016-003**

**By Bender**

**Intro & 1st Reading: 1/6/2014**

**Ref to: Z&P**

**2nd Reading: 1/15/2016**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

Beginning at a point of intersection of the Easterly line of Mary Street with the Northerly line of University Avenue S.E. which point is marked by a judicial monument; thence Southeasterly along the Northerly line of University Avenue S.E., 364.75 feet, more or less, to the point of intersection of the Northerly line of University Avenue S.E. with the Westerly line of Thirtieth Avenue S.E., which point is marked by a judicial monument; thence Northeasterly along the Westerly line of Thirtieth Avenue S.E., 311.5 feet, more or less, to the point of intersection of the Westerly line of Thirtieth Avenue S.E. with the Southerly line of Fourth Street S.E., which point is marked by a judicial monument; thence Northwesterly along the Southerly line of Fourth Street S.E., 541.09 feet, more or less, to the point of intersection of the Southerly line of Fourth Street S.E. with the Easterly line of Mary Street, which point is marked by a judicial monument; thence Southerly along the Easterly line of Mary Street 358.30 feet, more or less, to the point of beginning, also known and described as Lots 1, 2, 3, and 4, "Geo. H. Watson's Addition, Minneapolis, Minn.", according to the recorded plat thereof, and situate in Hennepin County, Minnesota (2929 University Ave SE - Plate #22) to the C3A Commercial Activity Center District and remove the IL Industrial Living Overlay District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report and ordinance were adopted.

#### **INTRODUCTION & REFERRAL CALENDAR**

Pursuant to notice, on motion by Glidden, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Health, Environment & Community Engagement Committee:  
Amending Title 3, Chapter 47 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Energy and Air Pollution, clarifying the standards of acceptable energy data and stating the schedule of public disclosure of the received data.

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Health, Environment & Community Engagement Committee:

Amending Title 13, Chapter 301 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Laundries and Dry Cleaning Establishments, prohibiting the use of certain solvents and amending enforcement provisions.

Pursuant to notice, on motion by Bender, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to inclusionary zoning:

Chapter 520 Introductory Provisions.

Chapter 521 Zoning Districts and Maps Generally.

Chapter 525 Administration and Enforcement.

Chapter 527 Planned Unit Development.

Chapter 530 Site Plan Review.

Chapter 535 Regulations of General Applicability.

Chapter 536 Specific Development Standards.  
Chapter 541 Off-Street Parking and Loading .  
Chapter 546 Residence Districts.  
Chapter 547 Office Residence Districts.  
Chapter 548 Commercial Districts.  
Chapter 549 Downtown Districts.  
Chapter 550 Industrial Districts.  
Chapter 551 Overlay Districts.

## **RESOLUTIONS**

Resolution 2016R-017 recognizing the National MS Society's MS Awareness Week in Minneapolis was adopted.

The following is the complete text of the unpublished summarized resolution.

### **RESOLUTION 2016R-017**

**By Palmisano, Reich, Gordon, Frey, B. Johnson, Yang,  
Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson**

#### **Recognizing the National MS Society's MS Awareness Week in Minneapolis.**

Whereas, multiple sclerosis (MS) is an unpredictable, often disabling disease, to which there is no cure, of the central nervous system that interrupts the flow of information between the brain and the body; and

Whereas, although there has been significant progress in MS research, there are only twelve disease modifying treatments for the relapsing-remitting form of the disease and none for the more debilitating, primary progressive form; and

Whereas, it is estimated that nearly 2.3 million people in the world are currently living with MS; and  
Whereas, more than 400,000 people in the United States are living with MS, including nearly 12,000 people in Minnesota, which ranks among the highest in prevalence rates in the country; and

Whereas, the National MS Society exists to help each person address the challenges of living with MS by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and

Whereas, MS Awareness Week is held the first week of March to unite people in Minnesota, the United States, and worldwide in the fight to end MS, to create connections stronger than the ones MS destroys, and educate people about MS and what they can do to make a difference; and

Now, Therefore, be it Resolved by The City Council of The City of Minneapolis:

That the City Council declares the 10th Day of March, 2016, to be MS Awareness Day in the City of Minneapolis and that the 35W Bridge be lit in orange on this day.

Resolution 2016R-018 honoring the 2016 Rev. Dr. Martin Luther King, Jr., essay contest winners was adopted.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-018**

**By Reich, Gordon, Frey, Johnson, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, Johnson and Palmisano**

**Honoring the 2016 Rev. Dr. Martin Luther King, Jr., Essay Contest winners.**

Whereas, the Minneapolis Commission on Civil Rights was established in 1975 to implement Civil Rights policies through public information, education, mediation, conciliation, and adjudication; and

Whereas, the Commission provides leadership in the areas of civil rights and carries forward the policies of the City through the prevention and elimination of bias and discrimination; and

Whereas, the Rev. Dr. Martin Luther King, Jr., believed that liberty, justice, and freedom were the 'inalienable rights' of all men, women, and children and that all people were equal in the sight of God and deserving of dignity and self-worth; and

Whereas, the Rev. Dr. Martin Luther King, Jr., a recipient of the Nobel Prize, became a national hero whose birthday has been declared a national holiday by his nation's government; and

Whereas, Rev. Dr. Martin Luther King Jr., inspired people and nations world-wide to strive in non-violent manners for the human rights, civil liberties, and economic guarantees rightfully due people of all races; and

Whereas, the Minneapolis Commission on Civil Rights established the Annual Rev. Dr. Martin Luther King, Jr., Essay Contest in 2005 as an opportunity to continue and renew this endeavor through education; and

Whereas, all ninth, tenth, and eleventh grade students who reside in Minneapolis were eligible to participate by submitting one essay with their answers to this topic: Dr. King's vision is alive and well through the work of current civil rights activists. What kind of impacts are these activists making on the current political and social landscape, and how do you see their work influencing the future?

Whereas, the Minneapolis Commission on Civil Rights selected the following prize winners:

1st Place: Elaine Thao

2nd Place: Joshua Hodge

Now, Therefore, Be It Resolved By The City Council of The City of Minneapolis:

That the Minneapolis City Council honors and appreciates all of those students who participated in the 2016 Rev. Martin Luther King, Jr., Essay Contest, and gives special recognition to those who won 1st and 2nd place.

Resolution 2016R-019 amending Resolution 2014R-001 entitled "Designating Standing Committees of the City Council" to reflect changes in Committee membership was adopted.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-019**

**By B. Johnson**

**Amending Resolution 2014R-001 entitled "Designating Standing Committees of the City Council."**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to reflect changes in the membership of standing committees, as follows:

Intergovernmental Relations: Glidden (chair); Cano (vice-chair); Frey; B. Johnson; ~~Quincy~~ Warsame; and A. Johnson

Meets: Thursdays at 1:30 p.m. in the first week of a regular cycle

Public Safety, Civil Rights & Emergency Management: Yang (chair); Gordon (vice-chair); Reich; B. Johnson; ~~Warsame~~ Quincy; and Palmisano

Meets: Wednesdays at 1:30 p.m. in the first week of a regular cycle

(Pursuant to City Charter, Article IV, Section 4.4, this act was not presented to the Mayor)

**NEW BUSINESS**

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 242 of the Minneapolis Code of Ordinances relating to Housing: Appeals, amending the membership and processes of the Housing Board of Appeals.

Frey and A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11, Chapter 223 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Drugs, removing marijuana from the list of prohibited drugs.

On motion by Gordon, the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding provisions for the licensure and regulation of emergency shelters was returned to author.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation, adding a new Chapter 236, Emergency Shelters, adding provisions providing for the licensure and regulation of emergency shelters.

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities, amending provisions related to after-hours work permits.



B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2, Chapter 24 of the Minneapolis Code of Ordinances relating to Administration: Public Works, amending Article IV entitled "Contracts" by adding prevailing wage requirements for certain City contracts for public improvements.

Glidden and Yang gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General, repealing Section 427.220 entitled "Congregating on streets or sidewalks."

Frey and Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending the Minneapolis Code of Ordinances, restructuring the annual pollution control billing fees:

Title 3 relating to Air Pollution and Environmental Protection, as follows:

Chapter 46 Hazardous Waste Generation, Handling, Storage and Disposal.

Chapter 47 Energy and Air Pollution.

Chapter 48 Minneapolis Watershed Management Authority.

Chapter 50 Minneapolis Waste Control and Waste Discharge Rules.

Chapter 52 Erosion and Sediment Control and Drainage.

Chapter 54 Storm Water Management.

Title 5, Chapter 91 relating to Building Code: Permit Fees.

Title 13, Chapter 261 relating to Licenses and Business Regulations: License Fees Generally.

#### **ADJOURNMENT**

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing a security briefing.

#### **ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 10:20 a.m. in Room 315, a quorum being present.

Deputy City Attorney, Peter Ginder, stated that the meeting may be closed for the purpose of discussing a security briefing relating to security at City Hall and other City owned or leased facilities.

At 10:21 a.m. on motion by B. Johnson, the meeting was closed as permitted by Minnesota Statutes Section 13D.05, Subdivision 3(d) to receive a security briefing relating to security at City Hall and other City owned or leased facilities.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 10:34 a.m.), Blong Yang, Abdi Warsame (Out at 10:48 a.m.), Lisa Goodman (Out at 10:50 a.m.), Elizabeth Glidden (Out at 10:50 a.m.), Alondra Cano, Lisa Bender, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent - Council Member John Quincy.

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Also Present - Mayor Betsy Hodges (Out at 10:53 a.m.); John Stiles, Mayor's Office (In at 10:39 a.m.; Out at 10:53 a.m.); City Attorney Susan Segal and Deputy City Attorney Peter Ginder, City Attorney's Office; City Coordinator Spencer Cronk (Out at 10:22 a.m.; In at 10:24 a.m.; Out at 10:32 a.m.; In at 10:34 a.m.); Assistant Chief Kris Arneson (In at 10:26 a.m.) and Deputy Chief Bruce Folkens (In at 10:26 a.m.), Police Department; Arthur Thomas, Municipal Building Commission (In at 10:29 a.m.); City Clerk Casey Carl, and Kelly Geistler, City Clerk's Office.

A security briefing was provided to the City Council from 10:21 a.m. to 10:58 a.m.

At 10:58 a.m., on motion by Palmisano, the meeting was opened.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Gordon, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

Official Posting: 1/23/2016